

REMONSTRANCE

APPENDIX TO  
More Definite Statement

Recipients List

To be included with documents packet as Cover Sheet. 9-25-2023

President Joe Biden  
The White House  
1600 Pennsylvania Avenue  
Washington, DC 20530

U.S. Attorney General  
950 Pennsylvania Avenue  
Washington, DC 20530-0001

Democratic National Committee  
430 S. Capital Street SE  
Washington, DC 20003

Lady Sylvia Borunda Firth  
LAW CENTER  
311 Montana Avenue  
El Paso, TX 79902

ABC News  
500 Buena Vista Street  
Burbank, CA 91521

FOX News  
1211 Ave. of the Americas  
New York, NY 10036

First Baptist Church  
108 S. Vanderveer Street  
Burnet, TX 78611

CITIZEN'S GAZETTE  
206 E. Jackson  
Burnet, TX 78611

Naturist Action Committee  
P.O. Box 132  
Oshkosh, WI 54903

Human Rights Defense Center → P.O. Box 1151, Lake Worth Beach, FL 33464

Rep. John Kline  
U.S. House of Representatives  
2182 Rayburn House Office Bldg.  
Washington, DC 20515

Texas Attorney General  
300 West 15th Street  
Austin, TX 78701

Republican National Committee  
310 First Street SE  
Washington, DC 20003

Associated Students, Inc.  
Cesar Chavez Student Center  
1650 Holloway Ave., T-138  
San Francisco, CA 94132-1722

CBS News - 60 MINUTES  
51 West 52nd Street  
New York, NY 10019

NBC News  
30 Rockefeller Plaza  
New York, NY 10112

First Methodist Church  
301 East Graves Street  
Burnet, TX 78611

Prisoner Express  
P.O. Box 6556  
Ithaca, NY 14851

ACLU of Texas  
P.O. Box 8306  
Houston, TX 77288

Page 1 of 8 September 14, 2023, Remonstrance:

On the Subject of Mail Scanning  
of Texas Prison Inmate Mail By  
Private Sector Company.

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To all whom it may concern:

While I, James Logan Diez, present to You this REMONSTRANCE in my personal interest as a Citizen and Taxpayer, (who does NOT yet have any "Final Conviction" on the Charges I have been unjustly confined for - ergo - am still a Registered, eligible Voter); I also publish this on behalf of EVERY Citizen Taxpayer who is fed up with Government's making up excuses to WASTE Taxpayers money on "Pork Barrel" payouts to Politicians' friends and Associates, or "Special Interests" Groups. [I, also, pay my Respect to the Gospel of the Lord Immanuel Jesus, Christ King of Israel; and, the Teachings of the Holy Spirit through the Apostle Paul found in the Christian Bible Hebrews 13:3]

Texas Department of Criminal Justice - Criminal Inst. Division has, AGAIN, grossly exaggerated a MINOR Security issue in order to contract for a totally unnecessary Service from a Private Company - a Service that is inevitably bound to cost the Taxpayers MILLIONS of dollars in litigation costs only to be declared unconstitutional by the Federal Courts in the end! Permit me, then, to expose the most recent act of lunacy and waste of our Tax Dollar -

TDCJ-CID Admin. has recently implemented mandatory mail scanning for ALL personal mail sent to a Prisoner in a Texas prison facility. The correspondence MUST be mailed to a Private Sector company in Dallas, TX, where the prisoners letters are opened; scanned into electronic format; checked for clarity by an employee of said company; then forwarded electronically to the prisoners' tablets (furnished by the State). After scanning and forwarding, the prisoner:

(i) is NOT afforded the option of getting a print-out of the letter; and,

(ii) MUST provide postage and costs to the private company to cover their sending the original letter to an alternate address should the letter's intended recipient prisoner wish to preserve the letter as a keepsake; otherwise it is (allegedly) destroyed.

NOTE:  
Average Time  
From Postmark  
To tablet:  
21-27 days

TDCJ-CID's EXCUSE for implementing scanned mail:

\* Prisoners are smuggling in drugs on letters by liquid drugs put in ink!

An excuse that SOUNDS LIKE a legitimate "Security" concern to a Public that does NOT HAVE A CLUE as to the FACTUAL REALITY of the Penal Environment; but, that to the Enlightened it's an obvious LIE! Ergo, let me enlighten — ONLY about 1-2% of the drugs that get into a penal facility come in by contaminated correspondence! Whereas, 95% or

MORE is brought into the Facilities by EMPLOYEES on some Gang's payroll. The remainder is smuggled in by Outside Trustees who are unsupervised — they pick up a packet "dropped", and pass it to an Inside Trustee. But — even though mailed in drugs is only 1-2% — let's examine the Prison Board's and others' wisdom in spending Taxpayers' money on a Private Sector mail scanning service; and, the fact such invites a Federal Lawsuit prisoners will eventually prevail on...

(1) TDCJ-CID has Drug Detection K-9 Dogs at EVERY Facility — incoming mail could be "sniffed" by the dog, the miniscule number of drug-laced correspondence detected, removed and "controlled delivery" made to facilitate prosecutions for "Conspiracy to introduce illegal substances into a Penal Facility;" thus, other prisoners' Mail is unaffected.

(2) Now let's examine the legal implications of the "scanned mail" Contract —

(a) Mail/Letters are "Property" of the Prisoner; and, a FIRST AMENDMENT communication Right; while Prison Mailroom Officials have the right to open such mail and censor it where appropriate — PRIVATE Companies and their Employees do NOT

have a mote of lawful standing to open another Citizen's mail even if some Prison Official tells them they can. NOT ONE PRISONER gave their consent for a Private Sector Company's Employee to open their mail. [Also, there is the letter's Author who, while knowing prison staff scans letters for content, do NOT normally know some employee of a private company might decide to read (or even plagiarize/steal) the letter!]

- (b) the U.S. Constitution declares NO Citizen is to be deprived of Property without Due Process of Law — I TREASURE my paper letters from Loved Ones — even from Officials (I received a wonderful letter from the Ambassador of Ukraine thanking me for a donation I made to War Orphans of that Nation — I TREASURE that!). BUT — even though I have NEVER smuggled ANYTHING into a prison and NEVER used drugs in my Life; TDCJ-CID contracts a Private Sector company to convert my letters to electronic trash easily lost to a tablet glitch; refuse to provide me a hardcopy printout; AND, agree to let the Company DESTROY my Original letter if I don't send it to someone at my own expense within a few months(?!).

I'm a 67 year old Penal SLAVE with NO income;  
WHO am I supposed to send it to? My  
deceased Parents/Grandparents? My deceased  
Brothers/Sisters? Maybe my deceased Best  
Friend, was? Perhaps, if I write a hundred  
or so Churches, I can find one to keep all  
my letters safely stored for me until my  
release from this lunatic unit?

The point is — I have been given NO Due Process of  
ANY form that would give the TDCJ-CID/its Private  
sector conspirator a legal right to seize and destroy  
my personal property — those letters: not even an  
Administrative Hearing! IT IS NOT MY LETTERS laced  
with drugs — so WHY are MY letters being stolen and  
destroyed, because TO MY HEART those pages written  
in my Loved Ones' hands are equally as priceless as the  
words conveyed! BUT — let's set this aside and  
look at an absolute REALITY about those who do  
smuggle drugs seriously... (see following article).

Drug smugglers AREN'T STUPID — they are also  
EXTREMELY WELL FINANCED and EQUIPT! TDCJ-CID  
cannot stop certain articles of mail from coming in  
to prisoners, UNLESS they give Prisoners access  
to email service providers and online publications  
of magazines, newspapers and books — otherwise  
they'd FARE exceed Constitutional limits. PLUS, there's  
"Legal Mail" from Attorneys and Courts; and, "Special



Correspondence" from Government Agencies, Officials and Law Enforcement/Crimestoppers! Drug Smugglers ARE NOT STUPID and are EXTREMELY WELL FINANCED and EQUIPPED! If a drug smuggler wanted to smuggle drug laced paper into a prison — he could print counterfeit TIME or National Geographic magazines, or The Houston Chronicle Newspaper using liquid drug-laced ink, and mail it to distributors on EVERY unit regularly — he could print up phony Trial Transcripts and use an actual Court's Return Address to send in drug saturated paper in bulk — he could send weekly letters purportedly from actual Attorney Offices simply by duplicating the Attorney's stationery! Does ANYONE truly BELIEVE the use of a multimillion dollar, Private Sector, mail scanning service is REALLY going to stop or slow down the smuggling of drugs into the prison system? Seriously?

TDCJ-CID officials have merely EXAGGERATED the miniscule amount of drugs getting past the mailroom (because they DON'T use the drug dogs EVERY mail delivery that comes in) so they can bankroll a Private Sector Company with Taxpayers' money!

TDCJ-CID's Prison Board, the Director, every Unit's Warden and Asst. Wardens, KNOW that 95% of the drugs are smuggled in by corrupt guards — KNOW IT — yet, NO SIGNIFICANT ACTION is taken to stop the employers from delivering whatever contraband to their Prisoner-Employers! No drug dog daily sniff of the



incoming employees — no daily puppy patrol of the employee parking lot's vehicles — the only employees ever caught is the ones ratted out by the drug dealer, because the employee guard (teacher, nurse, secretary, etc.) does something stupid. Here's a TRUTH:

\* Prisoners Don't normally use their Loved Ones for smuggling contraband; whether its drugs, phones, cigarettes, or anything else — because it's too easy and cheap to hire a dirty guard or whatever! Why risk getting a Loved One in trouble when You can screw a prison employee?!

This mail scanning, and seizure/destruction of the original letters/property, without Due Process, effects NOT ONLY the near 100,000 Texas Prisoners — it effects EVERY Citizen in the State of Texas, AND EVERY Citizen in America who corresponds with a Prisoner in Texas! Texas Taxpayers; it's your Tax dollars being thrown away on totally UNNECESSARY mail scanning — You're ALREADY paying for drug dogs and mailroom staff; WHY allow Your hard earned dollars to be paid for mail scanning when it WILL (in the very near future) cost You in Court as well? Demand TDCJ-CID go back to standard USPS mail for prisoners who prefer NOT to use scanned mail; and, for prison officials to USE THE DOGS MORE EFFECTIVELY to detect drug-laced mails; AND, police Employees more effectively! (That's how to stop drugs!)

This "scanned mail scam" is typical of the facades Government Agencies/Agents use to unjustifiably funnel Citizens tax dollars into those proverbial "Pork Barrels" (especially pork barrels the Cohorts of Government Officials happen to Profit greatly from)! Courts "litter" to the Prison Officials "expertise" for prisons' "day to day operations" and, start dancing any time Prison Officials start singing the "security" song. If Jurists EVER start actually using some Common Sense and Objective logic, the ludicrousness of most Prison Officials "security" claims would be painfully obvious — but first, they'd have to stop pandering to the Prison Officials!

So — it's up to The People — the Taxpayers, the Patriots, the Citizenry fed up with all the fanciful waste, and smokescreen excuses, and the lies, and exaggerations they fabricate to needlessly spend money to enrich their "good ol' Boys" pals!

Do We The People resolve this grievance with Our Voices united — or, do we wait for the Federal Courts to resolve it with Our money paid to Innates? It really is Ours Choice — so, raise Your voices to put a stop to it, so You won't have to pony up cash later!

Respectfully, J. Logan Diez

Citizen - Voter - Penal Slave  
#2399291  
McConnell Unit

\* See following Article  
from Prison Legal News  
& "PennLive, Harrisburg Patriot."

## Five Years After Limiting Personal Visits and Banning Mail, Drug Use Worse in Pennsylvania Prisons

As reported by the *Harrisburg Patriot News* on April 21, 2023, the Pennsylvania Department of Corrections (DOC) implemented a solution to the drug problem in state prisons in September 2018 that has proved cruel and ultimately ineffective. That year, a rash of illnesses befell prison staff, which DOC blamed on incoming prisoner mail soaked in K2 and fentanyl.

So DOC prohibited prisoners from receiving physical mail and contracted a mail scanning system. Now any mail sent to a prisoner in Pennsylvania is forwarded to a center in Florida where it is scanned and destroyed, sending the prisoner a facsimile — either by re-printing it or making the document available on an electronic tablet.

At the time of the changeover, Pennsylvania was desperate to end the rash of drug exposure incidents alarming prison staff. Although Keystone State cops never concluded that the illnesses were caused by drugs — nor was there any evidence they were smuggled through the mail — officials insisted that mail was the most likely source of entry.

However, medical experts said it was “effectively impossible to become ill from such incidental contact with K2, fentanyl or similar substances.” Ryan Marino, a toxicology expert, called it “not possible and not something that happens when prison staff have accidental contact with mail.” He added that symptoms reported by staffers were “usually the exact opposite of what opioids or fentanyl would do.”

Unsurprisingly, drug use in DOC lockups is no better than it was five years ago — in fact, it is now worse. After a slight decline in the immediate aftermath of the policy change, the number of positive drug tests rebounded quickly and is now higher than it was before.

One interesting metric is the number of prisoners in Pennsylvania who tested positive on random drug tests. In August 2018, when the crackdown was imposed, it was 1.0%. Fast forward to December 2022, and the number nearly tripled to 2.7%.

Five years after changing mail handling, Acting DOC Secretary Laurel Harry

said at a budget hearing, “We also know that [traffickers] will look for other avenues for drugs to enter our system, and that’s where [we] have to focus our efforts. But we don’t have to focus our efforts on the mail.” But as the *Harrisburg Patriot* pointed out, “if the mail scanning system has allowed the DOC to focus on drug interdiction elsewhere, as Harry stated, the department’s data hasn’t shown it.”

John Eckenrode, of the union representing Pennsylvania guards, believes that the incidence of staff smuggling is small. Instead he blames legal mail — which is exempt from scanning — as well as donated books, visitors, and drone drops.

Bret Grote, an attorney with the Abolitionist Law Center, calls the DOC change in prisoner mail handling a cynical “shock-and-awe campaign” without any empirical basis. He blames the policy change for spawning other mail-scanning schemes across the country.

Sources: NPR, PennLive, Harrisburg Patriot

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Kimberley - Please copy this slide of page & include in packet following

(V) Sept 14 Remonstrance